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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES

In Re Application of:

Spears, *et al.*

Serial No.: 09/780,984

Filed: February 9, 2001

For: **Controller for Photosensor Array with Multiple Different Sensor Areas**

Group Art Unit: 2624

Examiner: Thierry Pham

Docket No. 10011155-1

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Stephanie Riley
Signature –

APPEAL BRIEF UNDER 37 C.F.R. §41.37

Mail Stop Appeal Brief - Patents
Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This is an appeal from the decision of Examiner Thierry Pahm, Group Art Unit 2624, mailed June 10, 2005, rejecting claims 1 – 36 in the present application and making the rejection FINAL.

11/15/2005 TBESHAH1 00000023 082025 09780984
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I. REAL PARTY IN INTEREST

The real party in interest is Hewlett-Packard Development Company, LP, a limited partnership established under the laws of the State of Texas and having a principal place of business at 20555 S.H. 249 Houston, TX 77070, U.S.A. (hereinafter "HPDC"). HPDC is a Texas limited partnership and is a wholly-owned affiliate of Hewlett-Packard Company, a Delaware Corporation, headquartered in Palo Alto, CA. The general or managing partner of HPDC is HPQ Holdings, LLC.

II. RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences.

III. STATUS OF THE CLAIMS

Claims 1 – 36 remain pending

IV. STATUS OF AMENDMENTS

A final Office Action was mailed on June 10, 20005. Applicants responded to that final Office Action on August 3, 2005, at which time arguments for allowability (without amendments) were presented. That response was entered as per the Advisory Action of August 24, 2005, however, the arguments were deemed unpersuasive. A copy of the current claims is attached hereto as Exhibit A.

V. SUMMARY OF CLAIMED SUBJECT MATTER

The following provides a concise explanation of the subject matter defined in each of the claims involved in the appeal, referring to the specification by page and line number and to the drawings by reference characters, as required by 37 C.F.R. § 41.37(c)(1)(v). Each element of the claims is identified by a corresponding reference to the specification and drawings where applicable. Note that the citation to passages in the specification and drawings for each claim element does not imply that the limitations from the specification and drawings should be read into the corresponding claim element.

In this regard, the invention involves multiple resolution sensing apparatuses, such as optical scanners, and methods. In an exemplary embodiment, a multiple resolution sensing apparatus comprises a plurality of first photosensor elements , a plurality of second photosensor elements, a coupler, and a controller.

The plurality of first photosensor elements (e.g., R), (*see*, for example, specification at page 7, line 20 – page 8, line 24, and FIGs. 4 and 5) are coupled together to form a first linear array (e.g., 200), (*see*, for example, specification at page 7, line 20 – page 11, line 11, and FIGs. 4 and 5) and have a first length and a first resolution. The plurality of second photosensor elements (e.g., W), (*see*, for example, specification at page 7, line 20 – page 8, line 24, and FIGs. 4 and 5) are coupled together to form a second linear array (e.g., 206), (*see*, for example, specification at page 7, line 20 – page 11, line 11, and FIGs. 4 and 5) and have a second length and a second resolution. The coupler (e.g., 538), (*see*, for example, specification at page 8, line 24 – page 11, line 11, and FIGs. 4 and 5) has an output (e.g., 558). The coupler is coupled to the first linear array and to the second linear array (*see*, for example, specification at page 10, line 14 to page 10, line 25 and FIG. 5). The controller (e.g., 572) is coupled to the coupler and provides a control signal to the

coupler such that the output is coupled to the first linear array when the first resolution is employed and such that the output is coupled to the second linear array, instead of the first linear array, when the second resolution is employed (*see*, for example, specification at page 11, line 7 to page 13, line 5, and FIGs. 5 and 6).

Another exemplary embodiment (such as presented in claim 33) of such a system for multiple resolution sensing comprises: means for actuating a first switch (controller 572) such that a plurality of first photosensor elements in a first linear array (e.g., 200) detect an image when a first resolution is specified; and means for actuating said first switch (controller 572) such that a plurality of second photosensor elements in a second linear array (e.g., 206) detect said image, instead of the plurality of first photosensor elements in the first linear array, when a second resolution is specified (*see*, for example, specification at page 11, line 7 to page 13, line 5, and FIGs. 5 and 6).

An exemplary embodiment of a method for multiple resolution sensing comprises: actuating a first switch (e.g., 606) residing in a coupler (e.g., 538) such that a plurality of first photosensor elements in a first linear array (e.g., 200) detect an image when a first resolution is specified; and actuating said first switch such that a plurality of second photosensor elements in a second linear array (e.g., 206) detect said image, instead of using the plurality of first photosensor elements in the first linear array, when a second resolution is specified (*see*, for example, specification at page 11, line 7 to page 13, line 5, and FIGs. 5 and 6).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Claims 1 – 36 stand finally rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Maeshima* in view of *Nishiura*. Applicants respectfully traverse.

VII. ARGUMENT

A. Rejections under 35 U.S.C. § 103 are Improper for Failing to Teach or Reasonably Suggest All of the Limitations of Applicants' Claims

The Office Action indicates that claims 1-36 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Maeshima* in view of *Nishiura*. In particular, the Advisory Action indicates that *Maeshima* does not explicitly teach a controller for selectively selecting different photosensor arrays based upon resolution desired. However, the Advisory Action also indicates that *Nishiura* teaches selectively selecting different photosensor arrays. Notably, the Advisory Action further indicates that *Kubo* (previously cited but seemingly applied for the first time in the Advisory Action) teaches scanning at different resolutions, and that the combination of such teachings renders the pending claims unpatentable. Applicants respectfully traverse the rejections.

With respect to *Maeshima*, Applicants respectfully agree with the contention of the Advisory Action indicating that *Maeshima* does not teach a controller for selectively selecting different arrays of photosensors based upon resolution desired. Notably, *Maeshima* relates to a color imager having varying filter aperture sizes to compensate for luminance differences between colors. Specifically, *Maeshima* teaches adjusting of the various openings in order to change the imaging characteristics of the color image reading apparatus. Outputs are always provided from the light receiving elements regardless of the size of the openings.

Additionally, *Maeshima* is not involved with the use of more than one resolution. In this regard, Applicants respectfully note that the CCD driving controller 408 of *Maeshima* discussed in the Office Action is used to perform identical operations with respect to each of the B, G and R components in FIG. 29. (*See Maeshima* at column 12, lines 54 – 59). Since

all of the linear arrays of *Maeshima* are being used in an identical manner, resolution of the device is not being altered between a first resolution and a second resolution (notably, this was the position taken in the final Office Action; however, this position appears to have been removed in the Advisory Action).

With respect to *Nishiura*, Applicants respectfully disagree with the contention that *Nishiura* somehow remedies the deficiencies of *Maeshima* to render the pending claims unpatentable. Specifically, the Advisory Action indicates that *Nishiura* teaches " a control circuit 52 of fig. 5 for selectively selecting different photosensor arrays for scanning." Applicants respectfully disagree with this interpretation of *Nishiura*, as well as its application for allegedly rendering the claimed invention obvious.

In this regard, *Nishiura* generally relates to an image sensor comprising a plurality of photosensors and switches. Specifically, *Nishiura* discloses:

> An image sensor for use in a solid-state facsimile transmitter includes a plurality of photosensors disposed in an array, each photosensor composed of a plurality of series-connected photodiodes; a voltage source; ***a plurality of switches for selectively applying a reverse bias from the voltage source to the photosensor array, each photosensor in the array being successively reverse biased by a corresponding one of the switches***; and an output resistor for detecting current flowing through the selected reverse biased photosensor. The photosensors and switches may each comprise a plurality of series-connected photodiodes provided on a common substrate.

(*Nishiura* at Abstract). (Emphasis added).

Based on the foregoing teachings of *Nishiura*, it appears that the term "successively" has been overlooked, misinterpreted or misunderstood. To further emphasize this contention, *Nishiura* notably discloses the following:

> An equivalent electrical circuit diagram of an image sensor according to a preferred embodiment of the present invention is shown in FIG. 5. In the circuit, each photosensor comprises three photodiodes 30 connected in series, with the anodes of the last diode in each photosensor being connected together through respective semiconductor switches 40 so as to be selectively connected to a negative terminal of the voltage source 51 through a resistor 53. ***Switches 40 are successively turned on by a control circuit 52 to select***

> ***one of photosensors 30, and the current flowing through the selected photosensor 30 is read out as a voltage drop across terminals of 54 and 55 of output resistor 53***. A control circuit 52 suitable for driving of switches 40 may comprise a pulse sequencer or the like, and is conventional in the art.
>
> The magnitude of current flowing through output resistor 53 is substantially proportional to the amount of light which is detected by the selected photosensor. Therefore, the magnitude of the current reflects the brightness of that portion of a manuscript (not shown) which is positioned opposite to the selected photosensor. ***The photosensors are preferably arranged in an array defined by rows and columns of photosensors in a common plane, and are scanned by sequential operation of semiconductor switches 40 to operate cumulatively as an image sensor***.

(Nishiura at column 3, line 55 to column 4, line 13). (Emphasis added).

Based on the above teachings, it is clear that the device of *Nishiura* successively and sequentially selects each of the photosensors irrespective of a desired resolution. Thus, *Nishiura* does not teach the selection of one linear array instead of another because the selection of arrays by of *Nishiura* is sequential and cumulative. That is, even though the arrays are selected individually, all of the arrays are selected. Stated another way, there is no teaching in *Nishiura* of "a controller coupled to said coupler and providing a control signal to said coupler such that said output is coupled to said first linear array when said first resolution is employed and such that said output is coupled to said second linear array, instead of said first linear array, when said second resolution is employed."

Furthermore, *Nishiura* discloses:

> FIG. 8 graphically shows the relationship of voltage and current of diodes 30 in which the reverse-bias state is in the second quadrant. In this state, the current through the diodes does not change substantially with voltage. Therefore, since the magnitude of the photovoltaic current does not depend on the bias applied to the photodiodes 30, the current detected is the same regardless of the number of diodes connected in series, provided at least one of the series-connected diodes is operating properly. ***In other words, if one or even two of the three series connected diodes is faulty, the composite photodiode 30 will still provide the proper current level (indicative of light or dark conditions) provided at least one of the three individual diodes is still operating properly***.

(*Nishiura* at column 4, lines 45 to 59). (Emphasis added).

Clearly, even if one or more of the arrays are faulty, the switches are still operated to select all of the arrays. Thus, Applicants respectfully assert that reliance on *Nishiura* for teaching the selection of one linear array instead of another is improper. Moreover, resolution of the device of *Nishiura* is not being altered between a first resolution and a second resolution. Therefore, for at least these distinct reasons, Applicants respectfully assert that *Nishiura* is incapable of remedying the deficiencies of *Maeshima*.

Use of *Kubo*, which is stated substantively for the first time in the Advisory Action, also appears misplaced. In this regard, the Advisory Action indicates that *Kubo* teaches a scanner that scans at different resolutions. Applicants respectfully agree with this contention. However, *Kubo* does not teach or reasonably suggest the combinations of structural and/or functional features recited in Applicants' claims. *Kubo* also does not remedy the deficiencies noted with respect to the other asserted references.

In particular, although *Kubo* teaches scanning at different resolutions, there is no indication in *Kubo* as to how this is accomplished. To the contrary, one of ordinary skill upon reading *Kubo* may understand that *Kubo* alters the scanning speed to accommodate different desired resolutions, as the pre-scan function taught may involve only a quick scan of the document that is being scanned. Alternatively, filtering of scan data may be accomplished. Regardless of the particular mechanism used by *Kubo*, there is no teaching related to the particular features recited in Applicants' claims as will be described in detail below. That is, in general, there is no teaching in any of the asserted references involving selectively selecting arrays depending upon the desired resolution.

With respect to the claims, the claims do not stand or fall together. Instead, Applicants present separate arguments for various independent and dependent claims. Each of

these arguments is separately argued below and presented with separate headings and sub-heading as required by 37 C.F.R. § 41.37(c)(1)(vii) as follows: claims 1 - 19, with claim 1 representing this group; claims 20 - 32, with claim 20 representing this group; and claim 33 - 36, with claim 33 representing this group.

B. Independent Claim 1 and Dependent Claims 2 - 19

In this regard, claim 1 recites:

> 1. A multiple resolution sensing apparatus comprising;
> a plurality of first photosensor elements coupled together to form a first linear array and having a first length and a first resolution;
> a plurality of second photosensor elements coupled together to form a second linear array and having a second length and a second resolution;
> a coupler having an output, said coupler coupled to said first linear array and to said second linear array; and
> ***a controller coupled to said coupler and providing a control signal to said coupler such that said output is coupled to said first linear array when said first resolution is employed and such that said output is coupled to said second linear array, instead of said first linear array, when said second resolution is employed.***

(Emphasis added).

Applicants respectfully assert that the cited art, either individually or in combination, is legally deficient for the purpose of rendering claim 1 unpatentable. In particular, Applicants respectfully assert that none of the references or combinations thereof teaches or reasonably suggests at least the features/limitations emphasized above in claim 1. Specifically, neither of *Maeshima*, *Nishiura*, *Kubo* nor any of the other references of record (or combinations thereof) teaches or reasonably suggests "a controller coupled to said coupler and providing a control signal to said coupler such that said output is coupled to said first linear array when said first resolution is employed and such that said output is coupled to said second linear array, instead of said first linear array, when said second resolution is employed." Therefore, Applicants respectfully assert that claim 1 is in condition for allowance.

Since claims 2 - 19 are dependent claims that incorporate all the features/limitations of claim 1, Applicants respectfully assert that these claims also are in condition for allowance. Additionally, these claims recite other features/limitations that can serve as an independent basis for patentability.

C. Independent Claim 20 and Dependent Claims 21 - 32

With respect to claim 20, that claim recites:

> 20. A method for multiple resolution sensing comprising the steps of:
>
> actuating a first switch residing in a coupler such that a plurality of first photosensor elements in a first linear array detect an image when a first resolution is specified; and
>
> ***actuating said first switch such that a plurality of second photosensor elements in a second linear array detect said image, instead of using the plurality of first photosensor elements in the first linear array, when a second resolution is specified.***

(Emphasis added).

Applicants respectfully assert that the cited art, either individually or in combination, is legally deficient for the purpose of rendering claim 20 unpatentable. In particular, Applicants respectfully assert that none of the references or combinations thereof teaches or reasonably suggests at least the features/limitations emphasized above in claim 20. Specifically, neither of *Maeshima*, *Nishiura*, *Kubo* nor any of the other references of record (or combinations thereof) teaches or reasonably suggests "actuating said first switch such that a plurality of second photosensor elements in a second linear array detect said image, instead of using the plurality of first photosensor elements in the first linear array, when a second resolution is specified." Therefore, Applicants respectfully assert that claim 20 is in condition for allowance.

Since claims 21 - 32 are dependent claims that incorporate all the features/limitations of claim 20, Applicants respectfully assert that these claims also are in condition for

allowance. Additionally, these claims recite other features/limitations that can serve as an independent basis for patentability.

D. Independent Claim 33 and Dependent Claims 34 - 36

With respect to claim 33, that claim recites:

> 33. A system for multiple resolution sensing comprising:
> means for actuating a first switch such that a plurality of first photosensor elements in a first linear array detect an image when a first resolution is specified; and
> ***means for actuating said first switch such that a plurality of second photosensor elements in a second linear array detect said image, instead of the plurality of first photosensor elements in the first linear array, when a second resolution is specified.***

(Emphasis added).

Applicants respectfully assert that the cited art, either individually or in combination, is legally deficient for the purpose of rendering claim 33 unpatentable. In particular, Applicants respectfully assert that none of the references or combinations thereof teaches or reasonably suggests at least the features/limitations emphasized above in claim 33. Specifically, neither of *Maeshima*, *Nishiura*, *Kubo* nor any of the other references of record (or combinations thereof) teaches or reasonably suggests means for actuating said first switch such that a plurality of second photosensor elements in a second linear array detect said image, instead of the plurality of first photosensor elements in the first linear array, when a second resolution is specified." Therefore, Applicants respectfully assert that claim 33 is in condition for allowance.

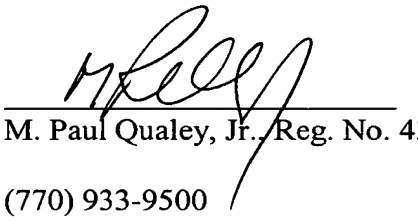
Since claims 32 - 36 are dependent claims that incorporate all the features/limitations of claim 33, Applicants respectfully assert that these claims also are in condition for allowance. Additionally, these claims recite other features/limitations that can serve as an independent basis for patentability.

CONCLUSION

Based upon the foregoing discussion, Applicant respectfully requests that the Examiner's final rejection of the pending claims be overruled and withdrawn by the Board, and that the application be allowed to issue with all pending claims.

Please charge Hewlett-Packard Company's deposit account 08-2025 in the amount of $340 for the filing of this Appeal Brief. No additional fees are believed to be due in connection with this Appeal Brief. If, however, any additional fees are deemed to be payable, you are hereby authorized to charge any such fees to deposit account No. 08-2025.

Respectfully submitted,



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VIII. CLAIMS - APPENDIX

1. (Previously Presented) A multiple resolution sensing apparatus comprising;

a plurality of first photosensor elements coupled together to form a first linear array and having a first length and a first resolution;

a plurality of second photosensor elements coupled together to form a second linear array and having a second length and a second resolution;

a coupler having an output, said coupler coupled to said first linear array and to said second linear array; and

a controller coupled to said coupler and providing a control signal to said coupler such that said output is coupled to said first linear array when said first resolution is employed and such that said output is coupled to said second linear array, instead of said first linear array, when said second resolution is employed.

2. (Original) The apparatus of claim 1, wherein said first linear array and said second linear array are placed on a single substrate.

3. (Original) The apparatus of claim 1, wherein said first linear array, said second linear array and said coupler are placed on a single substrate.

4. (Original) The apparatus of claim 2, wherein said coupler further includes at least one amplifier, and wherein said first linear array, said second linear array and said coupler with said at least one amplifier are placed on a single substrate.

5. (Original) The apparatus of claim 2, wherein said first length and said second length are substantially the same and at least equal to one dimension of an image to be sensed.

6. (Original) The apparatus of claim 1, wherein said coupler further comprises a switch controlled by said controller such that said switch couples said output to said first linear array when said first resolution is employed and such that said switch couples said output to said second linear array when said second resolution is employed.

7. (Original) The apparatus of claim 6, wherein said coupler further comprises:

a first amplifier coupled between said switch and said first linear array such that charges detected by said plurality of first photosensor elements are amplified into a first electrical signal; and

a second amplifier coupled between said switch and said second linear array such that charges detected by said plurality of second photosensor elements are amplified into a second electrical signal.

8. (Original) The apparatus of claim 1, wherein said first linear array and said second linear array detect a first color of light.

9. (Original) The apparatus of claim 1, further comprising:

a plurality of third photosensor elements coupled together to form a third linear array and having a third length and said first resolution;

a plurality of fourth photosensor elements coupled together to form a fourth linear

array and having a fourth length and said second resolution;

a second coupler having an second output, said second coupler coupled to said third linear array and to said fourth linear array;

a plurality of fifth photosensor elements coupled together to form a fifth linear array and having a fifth length and said first resolution;

a plurality of sixth photosensor elements coupled together to form a sixth linear array and having a sixth length and said second resolution;

a third coupler having a third output, said coupler coupled to said first linear array and to said second linear array,

wherein said controller is coupled to said second coupler and said third coupler, and wherein said controller provides said control signal to said second coupler so that said second output is coupled to said third linear array when said first resolution is employed and so that said second output is coupled to said fourth linear array when said second resolution is employed, and wherein said controller provides said control signal to said third coupler so that said third output is coupled to said fifth linear array when said first resolution is employed and so that said third output is coupled to said sixth linear array when said second resolution is employed.

10. (Original) The apparatus of claim 9, wherein said first linear array and said second linear array detect a first color of light, wherein said third linear array and said fourth linear array detect a second color of light, and wherein said fifth linear array and said sixth linear array detect a third color of light.

11. (Original) The apparatus of claim 9, wherein said first linear array, said second linear array, said third linear array, said fourth linear array, said fifth linear array and said sixth linear array are placed on a single substrate.

12. (Original) The apparatus as in claim 11, wherein said first length, said second length, said third length, said fourth length, said fifth length and said sixth length are substantially the same and at least equal to one dimension of an image to be sensed.

13. (Original) The apparatus as in claim 1, further comprising a plurality of third photosensor elements coupled together to form a third linear array and having a third length and a third resolution, said third linear array coupled to said coupler and wherein said controller providing a control signal to said coupler such that said output is coupled to said third linear array when said third resolution is employed.

14. (Original) The apparatus of claim 12, wherein said first linear array, said second linear array, said third linear array and said coupler are placed on a single substrate.

15. (Original) The apparatus of claim 12, wherein said first length, said second length and said third length are substantially the same and at least equal to one dimension of an image to be sensed.

16. (Original) The apparatus of claim 15, wherein said coupler further comprises a third amplifier coupled to said third linear array such that charges detected by said plurality of third photosensor elements are amplified into a third electrical signal

17. (Original) The apparatus of claim 16, wherein said first linear array, said second linear array and said third linear array detect a first color of light.

18. (Previously Presented) The apparatus of claim 13, wherein said first resolution corresponds to said first linear array having substantially 300 of said first photosensitive elements, wherein said second resolution corresponds to said second linear array having substantially 600 of said second photosensitive elements, and wherein said third resolution corresponds to said third linear array having substantially 2400 of said third photosensitive elements.

19. (Previously Presented) The apparatus of claim 18, wherein said third linear array is comprised of two rows, each row having substantially 1200 of said third photosensitive elements.

20. (Previously Presented) A method for multiple resolution sensing comprising the steps of:

actuating a first switch residing in a coupler such that a plurality of first photosensor elements in a first linear array detect an image when a first resolution is specified; and

actuating said first switch such that a plurality of second photosensor elements in a second linear array detect said image, instead of using the plurality of first photosensor elements in the first linear array, when a second resolution is specified.

21. (Original) The method of claim 20, further comprising the step of disposing

said first linear array and said second linear array on a single substrate.

22. (Original) The method of claim 21, further comprising the step of disposing said first linear array, said second linear array and said coupler on a single substrate.

23. (Original) The method of claim 21, wherein said first linear array and said second linear array are disposed on said single substrate so as to have substantially an equal length, said equal length at least as long as one dimension of said image.

24. (Original) The method of claim 20, further comprising the steps of:

actuating a second switch such that a plurality of third photosensor elements in a third linear array detect said image when said first resolution is specified and actuating said second switch such that a plurality of fourth photosensor elements in a fourth linear array detect said image when said second resolution is specified; and

actuating a third switch such that a plurality of fifth photosensor elements in a fifth linear array detect said image when said first resolution is specified and actuating said third switch such that a plurality of sixth photosensor elements in a sixth linear array detect said image when said second resolution is specified.

25. (Original) The method of claim 24, further comprising the step of disposing said first linear array, said second linear array, said third linear array, said fourth linear array, said fifth linear array and said sixth linear array on a single substrate.

26. (Original) The method of claim 25, wherein said first linear array, said

second linear array, said third linear array, said fourth linear array, said fifth linear array and said sixth linear array are disposed on said single substrate so as to have substantially an equal length, said equal length at least as long as one dimension of said image.

27. (Original) The method of claim 24, further comprising the steps of:

detecting a first color with said first linear array and said second linear array;

detecting a second color with said third linear array and said fourth linear array; and

detecting a third color said fifth linear array and said sixth linear array.

28. (Original) The method of claim 20, further comprising the step of actuating said first switch such that a plurality of third photosensor elements in a third linear array detect said image when a third resolution is specified.

29. (Original) The method of claim 28, further comprising the step of disposing said first linear array, said second linear array and said third linear array on a single substrate.

30. (Original) The method of claim 28, further comprising the step of disposing said first linear array, said second linear array, said third linear array and said coupler on a single substrate.

31. (Original) The method of claim 29, wherein said first linear array, said second linear array and said third linear array are disposed on said single substrate so as to

have substantially an equal length, said equal length at least as long as one dimension of said image.

32. (Original) The method of claim 29, wherein said first linear array, said second linear array and said third linear array detect the same color.

33. (Previously Presented) A system for multiple resolution sensing comprising:

means for actuating a first switch such that a plurality of first photosensor elements in a first linear array detect an image when a first resolution is specified; and

means for actuating said first switch such that a plurality of second photosensor elements in a second linear array detect said image, instead of the plurality of first photosensor elements in the first linear array, when a second resolution is specified.

34. (Original) The system of claim 33, further comprising:

means for actuating a second switch such that a plurality of third photosensor elements in a third linear array detect said image when said first resolution is specified and actuating said second switch such that a plurality of fourth photosensor elements in a fourth linear array detect said image when said second resolution is specified; and

means for actuating a third switch such that a plurality of fifth photosensor elements in a fifth linear array detect said image when said first resolution is specified and actuating said third switch such that a plurality of sixth photosensor elements in a sixth linear array detect said image when said second resolution is specified.

35. (Original) The system of claim 33, further comprising means for actuating said first switch such that a plurality of third photosensor elements in a third linear array

detect an image when a third resolution is specified.

36. (Previously Presented) The system of claim 35, further comprising:

means for actuating a second switch such that a plurality of fourth photosensor elements in a fourth linear array detect said image when said first resolution is specified, and actuating said second switch such that a plurality of fifth photosensor elements in a fifth linear array detect said image when said second resolution is specified, and actuating said second switch such that a plurality of sixth photosensor elements in a sixth linear array detect said image when said third resolution is specified; and

means for actuating a third switch such that a plurality of seventh photosensor elements in a seventh linear array detect said image when said first resolution is specified, and actuating said third switch such that a plurality of eighth photosensor elements in an eighth linear array detect said image when said second resolution is specified, and actuating said third switch such that a plurality of ninth photosensor elements in a ninth linear array detect said image when said third resolution is specified.

IX. EVIDENCE - APPENDIX

None.

IX. RELATED PROCEEDINGS- APPENDIX

None.

HEWLETT-PACKARD COMPANY
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Fort Collins, Colorado 80527-2400

PATENT APPLICATION

ATTORNEY DOCKET NO. 10011155-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Spears, et al.

Confirmation No.: 2245

Application No.: 09/780,984

Examiner: Thierry Pham

Filing Date: 2/9/01

Group Art Unit: 2624

Title: Controller for Photosensor Array with Multiple Different Sensor Areas

Mail Stop Appeal Brief-Patents
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF APPEAL BRIEF

Sir:

Transmitted herewith is the Appeal Brief in this application with respect to the Notice of Appeal filed on 9/12/05.

The fee for filing this Appeal Brief is (37 CFR 1.17(c)) $500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

( ) (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

( )	one month	$120.00
( )	two months	$450.00
( )	three months	$1020.00
( )	four months	$1590.00

( ) The extension fee has already been filled in this application.

(X) (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account **08-2025** the sum of **$500.00**. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

(X) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450. Date of Deposit: 11/9/05

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Respectfully submitted,

Spears, et al.

By _____

M. Paul Qualey, Jr.

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